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09/935,179	08/21/2001	Ting-Mao Chang		1623

7590 04/22/2005  
Ting-Mao Chang  
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EXAMINER

ANWAH, OLISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/935,179

**Applicant(s)**

CHANG ET AL.

**Examiner**

Olisa Anwah

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-81 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12-19, 24, 26, 28-36, 43-45, 52-64, 66, 69-72 and 74-81 is/are rejected.
- 7) ☒ Claim(s) 9-11, 20-23, 25, 27, 37-42, 46-51, 65, 67, 68 and 73 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

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## DETAILED ACTION

### *Claim Objections*

1. Misnumbered claims 53-79 been renumbered as claims 53-81.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claim 1-8, 12-19, 24, 26, 28-36, 43-45, 52-64, 66, 69-72 and 74-81 are rejected under 35 U.S.C. § 102(e) as being anticipated by Johnson et al, U.S. Patent Application Publication No. 2002/0164999 (hereinafter Johnson).

Regarding claim 1, Johnson discloses a method for task manager to interact with a user and provide the user nearby

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information of a moving object (see Figure 2 and 5A), the method comprising:

providing information and one or more geographic location related to the information in a database used by a computer (paragraphs 0065 and 0078);

receiving a request from the user which specifies search criteria for identifying information desired by the user, including one or more geographic areas where the geographic location of the desired information is to be located and a schedule for searching desired information within the one or more geographic areas (paragraph 0095);

scheduling a query for searching the desired information in a subset of one or more geographic areas, including storing the query in a computer-readable storage (see paragraphs 0083-0088);

processing the query according to the schedule, including querying the computer to search the database for information satisfying the search criteria (see Figures 15 and 20);

sending a result of the processing to the user, wherein the result identifies the information satisfying the search criteria (see paragraphs 0015-0018 and 0020-0024).

Regarding claim 2, see Figure 1.

Regarding claim 3, see paragraphs 0083-0088 and 0095.

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Regarding claim 4, see paragraph 0017.

Regarding claim 5, see paragraphs 0083-0088 and 0095.

Regarding claim 6, see Figures 15 and 20.

Regarding claim 7, see paragraphs 0015-0018 and 0020-0024.

Regarding claim 8, see paragraph 0095 and 0069.

Regarding claim 12, see paragraph 0022.

Regarding claim 13, see paragraph 0022.

Regarding claim 14, see paragraph 0062.

Regarding claim 15, see paragraph 0062.

Claim 16 is rejected for the same reasons as claim 13.

Regarding claim 17, see paragraphs 0083-0088 and 0095.

Regarding claim 18, see paragraph 0095 and paragraph 0081.

Regarding claim 19, see paragraphs 0083-0088 and 0095.

Regarding claim 24, see paragraph 0081.

Regarding claim 26, see paragraph 0081.

Regarding claim 28, see paragraph 0007.

Regarding claim 29, see paragraph 0007.

Regarding claim 30, see paragraph 0017.

Regarding claim 31, see paragraph 0007.

Regarding claim 32, see paragraph 0007.

Regarding claim 33, see Figures 15 and 20.

Regarding claim 33, see paragraph 0095.

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Regarding claim 34, Johnson discloses a method for continuously searching local information comprising the steps of:

receiving one or more inputs from user (paragraph 0095);  
parsing said one or more inputs and constructing search task, wherein said search task describing a criteria of search topic and a geographic search area related to a search schedule and a moving object (Figures 15 and 20);

scheduling one or more search activities according to said search task in a search task database (paragraphs 0083-0088);

executing said one or more search activities by querying sever computer according to said search schedule (see paragraph 0007);

searching a geo-coded topical database for queried said one or more search activities and transmitting search results of said searching step to client computer over wireless telecommunication channel, and rescheduling or terminating said one of said one or more search activities after being executed, wherein said rescheduling do said scheduling step at different time, place and environment (see paragraphs 0015-0018 and 0020-0024).

Regarding claim 35, see paragraphs 0083-0088 and 0095.

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Regarding claim 36, see paragraph 0069.

Regarding claim 43, see paragraph 0095.

Regarding claim 44, see paragraph 0095.

Regarding claim 45, see paragraph 0069.

Regarding claim 52, see paragraphs 0095, 0015-0018 and 0020-0024.

Regarding claim 53, see paragraph 0017.

Regarding claim 54, see paragraphs 0015-0018 and 0020-0024.

Regarding claim 55, see Figure 1.

Regarding claim 56, see Figure 1.

Regarding claim 57, Johnson discloses a continuous local information searching system comprising:

- a server computer having a server transmitter (see Figure 1);

- an informational database containing topical data and geographic data, said informational database accessed by said server computer (see paragraphs 0015-0018 and 0020-0024),

- a searching task manager configured to receive a search request from user, schedule one or more search queries according to said search request, and query said server computer with said one or more search queries, said search request describing a search topic and one or more geographic areas within which said desired search topic is to be located, said one or more

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geographic areas relate to a moving object and said schedule  
(see paragraph 0095),

a mobile computer having a mobile receiver configured to  
receive the result of said query from said server transmitter  
(see paragraph 0007).

Regarding claim 58, see paragraph 0095.

Regarding claim 59, see paragraph 0069.

Regarding claim 60, see paragraph 0069.

Regarding claim 61, see paragraph 0069.

Regarding claim 62, see paragraph 0069.

Regarding claim 63, see paragraph 0069.

Regarding claim 64, see paragraphs 0095, 0015-0018 and  
0020-0024.

Regarding claim 66, see paragraph 0069 and 0095.

Regarding claim 69, see Figure 4A.

Regarding claim 70, see Figure 4A.

Regarding claim 71, see Figure 4A.

Regarding claim 72, see Figures 15 and 20.

Regarding claim 74, see paragraphs 0083-0088.

Regarding claim 75, see paragraphs 0095.

Regarding claim 76, see paragraphs 0095.

Regarding claim 77, see paragraphs 0095.



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Regarding claim 78, see paragraphs 0095.

Regarding claim 79, see paragraph 0017.

Regarding claim 80, see paragraph 0095.

Regarding claim 81, see paragraph 0095.

#### ***Allowable Subject Matter***

4. Claims 9-11, 20-23, 25, 27, 37-42, 46-51, 65, 67, 68 and 73 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims are allowed because Johnson fails to disclose the moving condition is selected from a group that includes an intention of speed change. Johnson also fails to disclose the dynamic constraint is selected from the following group: an indication of remaining energy, a rate of energy consumption and a resistance of movement. Additionally, Johnson does not disclose the claimed query-turn around time, acceleration signal, weather condition and resistance.

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa

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Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A.

Olisa Anwah  
Patent Examiner  
April 19, 2005



FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800